

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION,

Plaintiff,

-against-

BLUEHIPPO FUNDING, LLC

and

BLUEHIPPO CAPITAL, LLC,

Defendants.

CIVIL NO. 08 CV 1819 (PAC)

DECLARATION OF SHARI MULROONEY WOLLMAN IN SUPPORT OF
DEFENDANTS' OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE

I, Shari Mulrooney Wollman, declare as follows:

1. I am an attorney licensed to practice in the State of California as well as in the Ninth Circuit Court of Appeal. I intend to submit a *pro hac vice* application requesting permission to appear before this Court in the present action. I am counsel to the law firm of Manatt, Phelps & Phillips, counsel of record to Defendants BlueHippo Funding, LLC and BlueHippo Capital, LLC. Except as otherwise noted, I have personal knowledge of the facts set forth below, and if called upon to testify could and would do so competently.

2. On February 12, 2009, my law firm sent a letter response to the FTC that contained a preliminary compliance report and enclosed nearly 1,000 pages of responsive documents. The preliminary compliance report sent to the FTC on February 12, 2009 contained all of the following information: (1) an update regarding the current sales script language; (2) details regarding the requirement that consumers verbally confirm consent and acknowledgment of their order in all calls; (3) details regarding revisions to documents provided to consumers to ensure accurate reflection of the terms and conditions of the purchase; (4) refund terms and conditions; (5) a clear statement of the lack of a refund policy to consumers; and (6) efforts to comply with Truth-in-Lending and Regulation Z. In addition, the documents produced to the FTC on February 12th included telephone scripts, copies of documents provided to customers who placed orders since April 10, 2008, documents relating to specific customers and current advertisements that describe the terms of the offer.¹

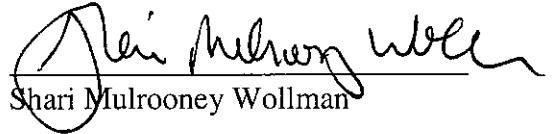
3. Defendants intend to send a full compliance report to the FTC prior to the April 16, 2009 hearing on the Motion if at all possible.

4. On April 13, 2009 Defendants produced a sworn, notarized affidavit to the FTC

¹ Defendants do not attach a copy of the February 12, 2009 letter to the FTC due to confidentiality concerns, but will provide a copy to the Court for review upon request at the hearing on the Motion.

attesting to the accuracy of the consumer database. In addition, Defendants produced approximately 1,700 additional documents at that time including an additional telephone script, documents showing customer complaints since April 10, 2008 and updated customer information.²

I hereby declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 14th day of April in Los Angeles, California.


Shari Mulrooney Wollman

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² Again, this letter is not attached due to confidentiality concerns, but will be available at the hearing on the Motion.